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SUBJECT: Human Rights: Guo Feixiong May Stand Trial Again;
Wife Sends Open Letter to Hu Jintao

Ref: Guangzhou 797

11. (U) Classified by Acting Principal Officer Mike Jacobsen.
Reason 1.4 (d).

12. (C) SUMMARY: The trial of Guo Feixiong, previously thought to have ended, has been placed on hold to allow investigators additional time to turn up new evidence. A new trial date, if granted, would likely be in late September. In a letter to Hu Jintao, Guo's wife details the unfair nature of the case against her husband and asks for assistance. END SUMMARY.

13. (C) Jailed democracy activist Guo Feixiong may once again stand trial in late September, according to Guo's wife, Zhang Qing. In an August 28 telephone conversation with a consulate political assistant, Zhang said that Guo's legal case is still pending because the prosecutor requested an additional ten weeks for investigators to turn up new evidence.

14. (C) Reftel states that Guo was awaiting sentencing following his conviction for "illegal business practices." However, Zhang's new comments seem to indicate that Guo's trial is not yet over. NOTE: It is common in China for judges of important or sensitive trials to recess the court to allow additional investigation, especially if the prosecution's case is found wanting. END NOTE. In Guo's case, there is no indication of why the prosecution requested the extra time.

15. (C) Additionally, in a previous meeting with Poloff, Guo's friend and fellow democracy activist Tang Jingling said he believed that the government would try to resolve Guo's case before the October party congress, which would also suggest a late-September trial date.

16. (C) On August 7 Guo was granted access to his lawyer, who indicated to Zhang that Guo was in good health. According to the lawyer's report to Zhang, Guo appears not to have suffered abuse in prison or at the hands of authorities since before his July 9 trial (Reftel).

17. (SBU) At the request of her husband, Zhang penned an open letter to President of China Hu Jintao complaining of Guo's unfair treatment in prison and the prosecution's use of false witnesses during the trial. The full text of the letter, which was confirmed delivered to Hu's office on August 24, may be viewed (in Chinese) at

<http://www.rfa.org/mandarin/shenrubaodao/2007/08/14/guofeixiong/>. Zhang still awaits a response.

JACOBSEN